

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

EVAN FANOR,

Plaintiff,

v.

OFFICER CARLOS ALVARADO,
Individually and in his capacity as, An
Officer with the NEWARK POLICE
DEPARTMENT, and the City of Newark

Defendants.

Civil Action No. 05-cv-5536 (PGS)

ORDER

SHERIDAN, U.S.D.J.

WHEREAS, this matter having been opened to the Court by Defendant's motions in limine, and having heard oral argument on May 15, 2008, and the Court having considered the parties' briefs, supporting papers and supplemental briefings; and for the reasons set forth on the record; and for good cause shown;

WHEREAS, during the motion in limine conference it became apparent that Magistrate Ronald J. Hedges, U.S.M.J., previously barred production of internal affairs investigation reports addressing claims of false arrest against Officer Alvarado; it has become apparent to the Court that if any such reports do exist, they are relevant and appropriate for production as the remaining claim is false arrest against Officer Alvarado;

IT IS on this 19th day of May, 2008;

ORDERED that Defendants' motions in limine to exclude the internal affairs investigation reports pertaining to Officer Alvarado's conduct is granted with respect to the excessive force

claims, this includes (a) Internal Affairs Report dated June 17, 2000, (b) Internal Affairs Report dated December 20, 2001; (c) Internal Affairs report dated May 19, 2003; and it is further

ORDERED that the Defendants are directed to provide any internal affairs investigation reports pertaining to allegations of false arrest against Officer Alvarado from January 1, 2001 to October 31, 2004 to plaintiff within one week of the date of this order;

ORDERED that Defendants' objection to the inclusion of the Policy and Procedure Manual Pertaining to cell phone usage at UMDNJ is denied.

May 19, 2008



PETER G. SHERIDAN, U.S.D.J.